



Planning Proposal

To amend the Randwick LEP 2012 to permit child care centres at 270 Malabar Road, Maroubra

Prepared for Malak Group Pty Ltd

September 2015

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Executive Summary

INTRODUCTION

This Planning Proposal has been prepared by Urbis on behalf of Malek Group Pty Ltd (the proponent), and seeks to amend the *Randwick Local Environmental Plan 2012* (RLEP 2012) as it applies to 270 Malabar Road, Maroubra. The Planning Proposal is submitted to Randwick City Council in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Infrastructure's 'A guide to preparing planning proposals' dated October 2012.

The objective of the Planning Proposal is to enable the current use of the subject site as a child care centre to be permissible with consent under the RLEP2012.

ENVISAGED FUTURE DEVELOPMENT

This Planning Proposal has been prepared with regard to concept designs prepared by Fotoulla Lazaridis Architects which has informed the potential future building envelope. Their architectural plans are provided as **Appendix A** of this report. Traffic advice has been prepared by TRAFFIX and is included as **Appendix B** of this report.

PROPOSED AMENDMENTS TO THE RANDWICK LOCAL ENVIRONMENTAL PLAN 2012

This Planning Proposal seeks to permit a child care centre on the site by way of a Schedule 1 Amendment to the RLEP2012 as it relates to 270 Malabar Road, Maroubra (Lot 3821 DP 752015)

As noted previously a concept plan for the potential future development for a child care centre is included at **Appendix A**.

PLANNING ASSESSMENT

The Planning Proposal has been assessed against relevant State and local planning considerations and positioned within the context locality.

This planning proposal includes the following:

- Description and analysis of the site and local context with reference to metropolitan strategic planning and infrastructure projects;
- Consideration of previous strategic planning for Maroubra and the existing planning framework;
- Objectives and intended outcomes of the Planning Proposal;
- Explanation of the provisions of the proposed amendment to the RLEP2012;
- Justification of the concept design and Planning Proposal; and
- Consideration of the community consultation likely to be associated with the Planning Proposal.

The Planning Proposal offers significant benefits and opportunities for the development of the site and to the local community including:

- The Planning Proposal will deliver significant community benefits to the Maroubra community by responding to an identified need to provide additional child care places within an easily accessible locality;
- The concept design responds to the site conditions and surrounding built form context of the area
- The concept design does not result in unreasonable impacts to adjoining land uses and residents
- The proponent of the planning proposal is willing to work with Council to ensure the Randwick community is included in the public consultation process and the planning proposal is ultimately considered to be in the public interest.

For these reasons it is recommended that the Planning Proposal is endorsed by Council to enable a gateway determination by the Department of Planning and Environment.

FIGURE 2 – SITE CADASTRE



1.2 SURROUNDING LAND USE CONTEXT

The northern and western sides of the site are characterised by single dwelling houses on allotments which vary between 450sqm to 600sqm. The eastern and southern elements of the site are characterised by a combination of dual occupancies and multi-unit housing developments which makes a significant contribution to the overall population density of Maroubra. The site itself has a predominately easterly aspect sloping towards Lurline Bay.

The sites primary interfaces are described below in **Table 3**.

TABLE 3 – SURROUNDING LAND USES

ASPECT	LAND USES
North	The site is bound to the north by Storey Road. Beyond Storey Road is a series of single dwelling houses.
West	Large residential dwellings (272 Malabar Road and 319 Storey Street) are located to the west of the site. Both these dwellings are setback from the boundary with the subject site.
East	The site is bound to the east by Malabar Road. Beyond Malabar Road is a series of multi-dwelling housing units and a small commercial precinct
South	The site is bound to the south by Malabar Road. Beyond Malabar Road is a series of attached dual occupancies.

1.3 DEVELOPMENT HISTORY

270 Malabar Road was previously the church and community hall facilities for the Maroubra Bay Uniting Church. In 1997 under D328/96 Randwick City Council approved the conversion of the hall facilities to a Child Care Centre for 29 Children, this use continues to operate on the site. At this time the site was zoned for residential purposes and Child Care Centres were permitted with development consent. The Maroubra Bay Uniting Church has now vacated the church facilities and has sold the site in its entirety.

2 Local Planning Controls

This section provides a summary of the existing local planning framework relevant to the subject site.

2.1 RANDWICK LOCAL ENVIRONMENTAL PLAN 2012

The *Randwick Local Environmental Plan 2012* (RLEP 2012) is the local Environmental Planning Instrument applying to the site.

2.1.1 Land Use Zoning

The existing zoning of the site is SP2 Infrastructure (Place of Public Worship) as shown in **Figure 3**. Key planning controls for the SP2 zone are summarised in **Table 4**. The lots adjoining the site are zoned R2 Low Density Residential with a small pocket of land zoned B1 Neighbourhood Centre.

FIGURE 3 – RLEP2012 ZONING MAP

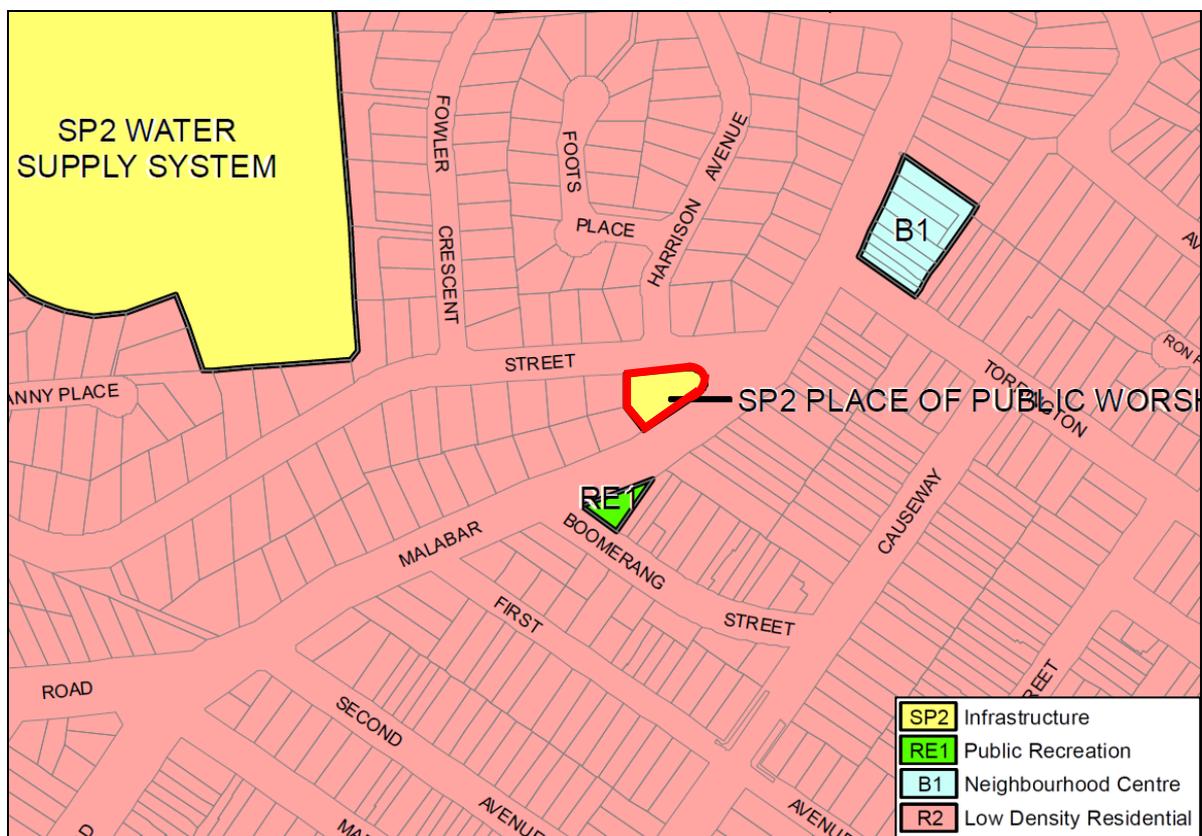


TABLE 4 – SP2 ZONING CONTROLS IN THE RANDWICK LOCAL ENVIRONMENTAL PLAN 2012

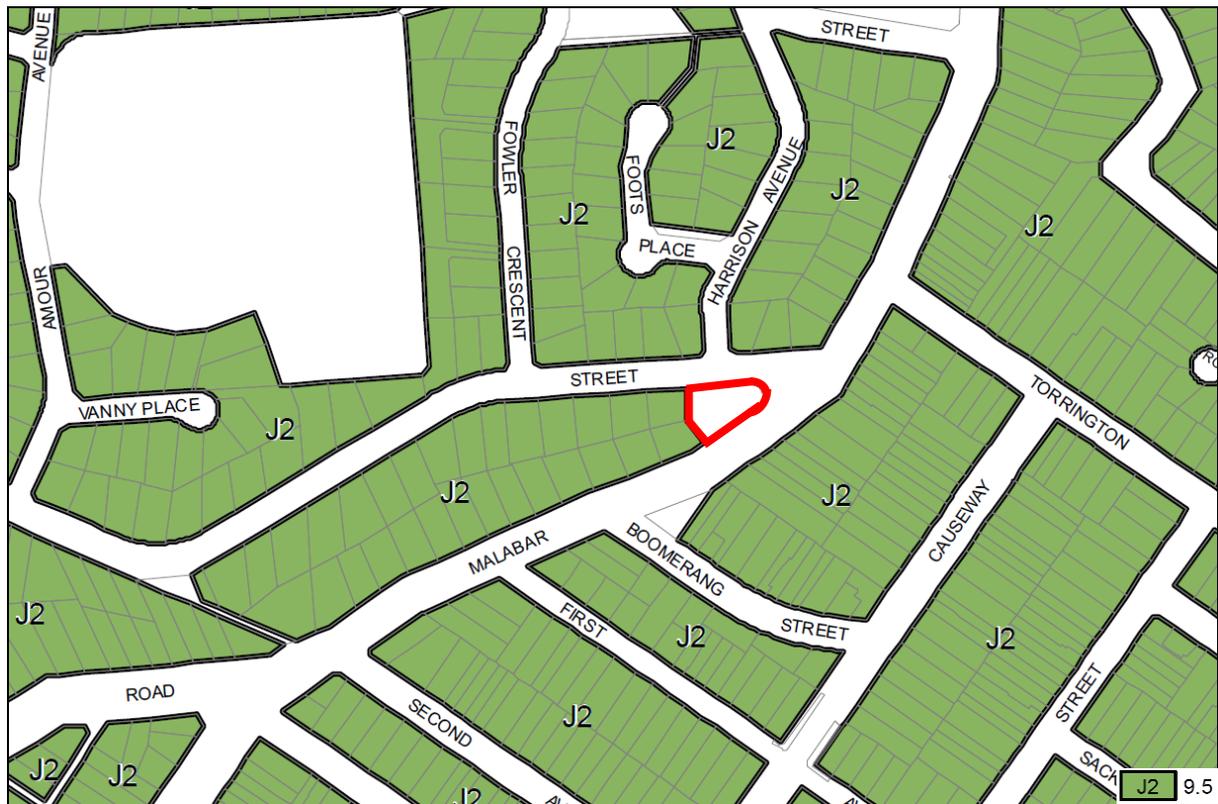
CONTROL	SP2 INFRASTRUCTURE
Zone objectives	<p>The objectives of the zone are:</p> <ul style="list-style-type: none"> To provide for infrastructure and related uses. To prevent development that is not compatible with or that may detract from the provision of infrastructure. To facilitate development that will not adversely affect the amenity of nearby and adjoining development. To protect and provide for land used for community purposes.

Permissible development	The purpose shown on the Land Zoning Map (Place of Public Worship), including any development that is ordinarily incidental or ancillary to development for that purpose
Prohibited development	All other uses not listed above are prohibited within the SP2 Infrastructure zone.

2.1.2 Height of Buildings

The RLEP2012 does not apply a building height control to the site, as shown in **Figure 4**. The lots adjoining the site are assigned a height limit of 9.5m.

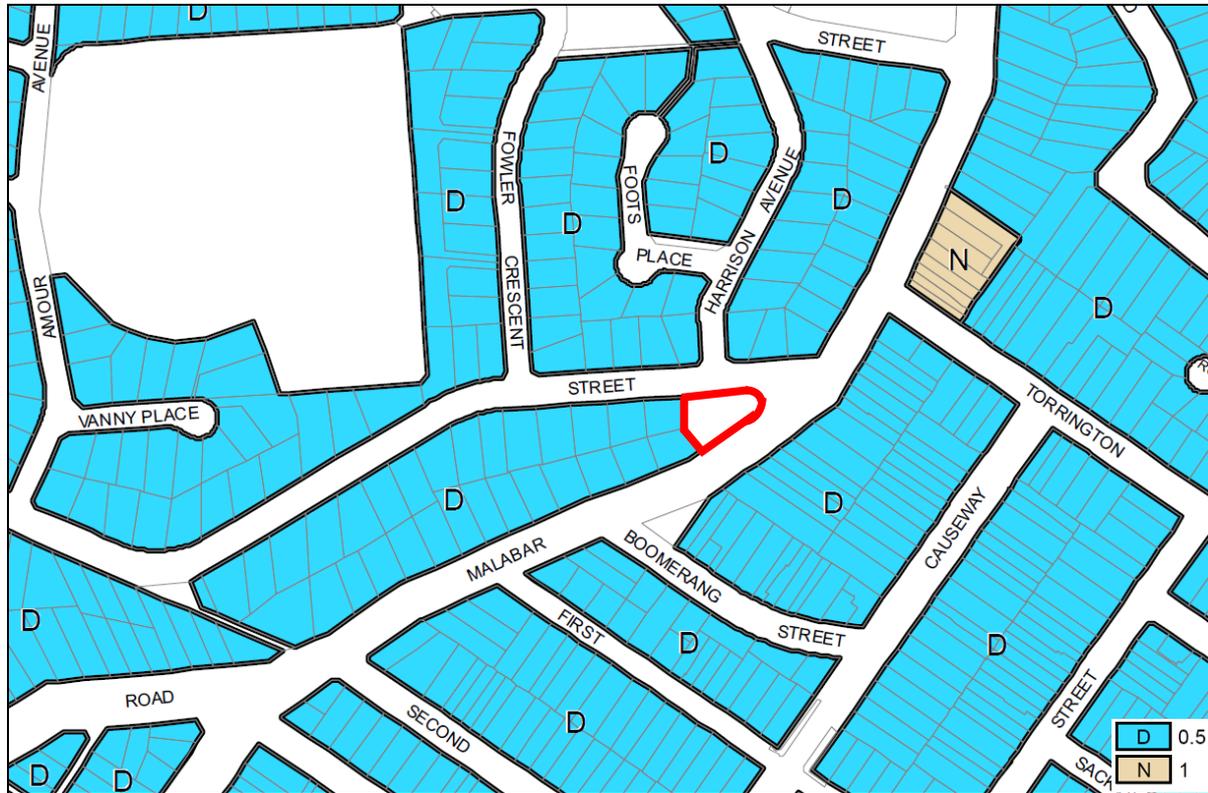
FIGURE 4 – RLEP2012 HEIGHT OF BUILDING MAP



2.1.3 Floor Space Ratio

The RLEP2012 does not apply a floor space ratio control to the site, as shown in **Figure 5**. The lots adjoining the site are assigned a floor space ratio of 0.5:1 with a small pocket of land zoned B1 Commercial Core assigned a floor space ratio of 1:1.

FIGURE 5 – RLEP2012 FSR MAP



2.2 RANDWICK DEVELOPMENT CONTROL PLAN 2013

The Randwick Development Control Plan 2013 (RCP2013) was adopted by Council on 14 June 2013, and applies to all land in the Randwick Local Government Area. The RDCP2013 details specific controls that govern building form, such as site coverage and landscaping, building materials and finishes, parking requirements, and dwelling mix.

Any development application that results from this proposal will need to consider the DCP 2013 and its relevant sections.

3 PLANNING PROPOSAL

This planning proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* with consideration of the Department of Planning and Infrastructure's 'A guide to preparing planning proposals' dated October 2012.

Accordingly, the planning proposal is addressed in the following four parts:

- **Part 1:** A statement of the objectives or intended outcomes of the proposed amendment;
- **Part 2:** An explanation of the provisions that are to be included in the proposed amendment;
- **Part 3:** The justification for those objectives, outcomes and the process for their implementation; and
- **Part 4:** Details of community consultation that is to be undertaken for the planning proposal.

Discussion for each of the above parts is outlined in the following sections.

4 Objectives and Intended Outcomes

4.1 OBJECTIVES

The key objective of this Planning Proposal is to obtain the necessary amendment to the RLEP2012 to facilitate the continued use of 270 Malabar Road, Maroubra as a child care centre, in doing so promoting the orderly and economic use of the land.

This Planning Proposal seeks to amend schedule 1 of the RLEP2012 to permits development for the purpose of a child care centre at 270 Malabar Road, Maroubra.

A conceptual design for future development of the site for a child care centre has been prepared and accompanies this Planning Proposal in **Appendix A** which has informed the proposed built form control changes. The scheme is indicative of the intended proposed future development changes for the site which would be sought through a DA once the Planning Proposal has been endorsed by the Department of Planning and Environment (DOPE) that supports the preparation of an LEP amendment.

4.2 INTENDED OUTCOMES

The primary objective of the proposed is to enable the future expansion of the existing child care centre at 270 Malabar Road, Maroubra by establishing appropriate built form controls for the site. This will be achieved through:

- Amend Schedule 1 of RLEP2012 to permit the development of a child care centre
- Providing appropriate built form development standards that will facilitate additional child care places to meet the areas growing demand for 'child care centres, whilst respecting the amenity of the surrounding community.
- Integrating the existing and proposed child care centres through internal connections between the facilities;
- Avoiding unacceptable impacts on the character and amenity of the adjoining and surrounding residential development and
- Provision of additional employment opportunities to the local and regional community.

The indicative development concept plan prepared by Fatoulla Lazaridis Architects (**Appendix A**) has been prepared based on a comprehensive assessment of the site and its context, as well as the outcomes of a number of specialist consultant inputs.

5 Explanation of Provisions

5.1 OVERVIEW

It is proposed to permit development for the purpose of a child care centre on the site by way of an amendment to RLEP2012. An explanation of the proposed written provisions is provided within the following sub-sections, including:

- Schedule 1 Amendment to RLEP2012 to permit 'child care centres' as it relates to 270 Malabar Road, Maroubra (Lot 2821 DP752015)

5.2 SCHEDULE 1 AMENDMENT TO THE RANDWICK LOCAL ENVIRONMENTAL PLAN 2012

The objectives of this Planning Proposal can be achieved through the inclusion of the following amendment to Schedule 1 of the RLEP2012:

Use of Land at 270 Malabar Road, Maroubra

- 1) This clause applies to land at 270 Malabar Road, Maroubra being Lot 2821 DP752015.
- 2) Development for the purpose of a child care centre is permitted with development consent

The proposed amendment to the Schedule 1 of RLEP 2012 to permit 'child care centres' is considered appropriate, having regard to the following matters:

- The planning proposal is consistent with state and local government strategic planning initiatives, recognising the need for social infrastructure such as child care centres.
- The planning proposal will provide appropriate planning frameworks to allow the site to contribute to the protection of existing employment;
- The planning proposal will provide appropriate planning frameworks to add further vibrancy to the Maroubra local centre and assist in ensuring the ongoing urban renewal of the area.
- The planning proposal will provide appropriate planning frameworks to enhance the liveability of the Maroubra area by increasing the access to essential services for residents of the area
- The planning proposal will allow for the future increase in the provision of child care places within Maroubra;
- The planning proposal will not result in unreasonable impacts to adjoining properties or the public domain and potential traffic have been demonstrated to be reasonable.
- The proponent of the planning proposal is willing to work with Council to ensure the Maroubra community is included in the public consultation process and the planning proposal is ultimately considered to be in the public interest.

5.3 BUILT FORM

The proposed amendment to the RLEP 2012 does not propose any changes to the built form provisions of the RLEP 2014, and is related to land use only.

Any future changes to built form on the site will be subject of future separate development applications.

6 Justification for Rezoning Proposal

6.1 SECTION A – THE NEED FOR A PLANNING PROPOSAL

Q1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal is not the direct result of a strategic study or report. The proposed amendment to the RLEP 2012 to seek an additional permitted land use on the site does however align with a number of state and regional strategic studies and reports including NSW 2021 and A Plan For Growing Sydney which are discussed in Section 6.2 of this report.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The site is lawfully operating as a child care centre in accordance with D328/96. The RLEP2012 had the effect of prohibiting the use of the site as a child care centre as the church was functional at that time. Due to the site current zoning development for the purpose of a 'child care centre' is not permissible on any part of the site. Therefore an amendment to the RLEP 2012 which permits child care centres is considered the most appropriate development pathway to achieve the objectives of the proposal. The proposed Schedule 1 amendment is considered the best means of achieving a permissible child care centre on the site and constitutes best planning practise by removing unnecessary existing use rights situations in land use planning.

Overall, it is considered that the proposal will enable the operator to fulfil the sites potential and meet locality needs to expand its present operations. The proposal will also contribute to utilising the established physical and social infrastructure which currently services the site and adjacent urban areas, whilst contributing to additional employment during construction and post construction.

Given these considerations, the planning proposal is the best way of achieving the objectives of the concept design. Alternative approaches are considered inadequate for the following reasons:

- **Existing Use Rights:** whilst a child care centre operates on site both Randwick City Council and the proponent agree that the concept proposal to expand the operation fails the three part test established for existing use rights under part 5 of the *Environmental Planning and Assessment Regulation 2000* and as such existing use rights cannot be utilised for the proposal.
- **Application of Clause 5.3 of the RLEP2012:** Clause 5.3 of the RLEP2012 permits flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site. Whilst Child Care Centres are permissible within the adjacent R2 Low Density Residential Zone the flexibility is limited to a maximum distance of 4m which is inadequate for the proposal.

Without amendments to the existing zoning and development standards of the 2012 LEP, the concept design would not be able to be achieved.

6.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The site, while not specifically identified in NSW state planning strategies (explored further below), is within the context of the wider Maroubra and Randwick localities.

The following paragraphs outline how the relevance of the various state strategies that applies to Randwick in a planning sense.

NSW 2021

The NSW 2021 presents new targets for service improvements across a range of areas including objectives for 'Building Better Cities' and 'Improving education and learning outcomes for all students' which include:

- *Planning policy to encourage job growth in centres close to where people live and to provide access by public transport*
- *All children have access to quality early childhood education*

This proposal will provide the appropriate planning framework to ensure the continued development of the site as a child care centre and is consistent with the strategic policy outlined by NSW2021.

A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney was adopted in December 2014. The plan positively encourages well designed, higher density development within walking distance of public transport infrastructure with a key focus on urban renewal in appropriate areas. **Table 6** below provides an assessment of the planning proposal and concept design against the relevant objectives of the Metro Plan.

TABLE 6– ASSESSMENT OF THE PLANNING PROPOSAL AGAINST RELEVANT OBJECTIVES OF A PLAN FOR GROWING SYDNEY

A PLAN FOR GROWING SYDNEY ACTION	PLANNING PROPOSAL
Accelerate Housing Supply and Local Housing Choices	The proposal seeks to amend the existing planning controls to facilitate the future expansion of the existing child care centre as opposed to relocating the centre. This will ensure that residential allotments will not be removed from the market consequently reducing the market supply of dwellings. In doing this the proposal will not adversely impact on the acceleration of housing supply or local housing choices.

Support Urban Renewal by directing local infrastructure to centres where there is growth	The NSW Government has identified that the provision of social infrastructure such as child care centres will make a significant contribution to making vibrant local centres. A potential expansion of the existing child care centre at 270 Malabar Road as a result of a development application lodged subsequent to this planning proposal will add further vibrancy to the Maroubra local centre.
Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity	The proposal will pave the way for future local employment opportunities through both the construction and operation further supporting the overall economic viability of Maroubra. The use of the existing child care centre site will ensure that no housing stock is lost as a result of the proposal. By providing an additional permitted land use Council will give confidence to the landowner and operator to continue to invest and improve the operations in the future.
Undertake long term planning for Social Infrastructure to support growing communities	The proposal will enhance the overall provision of social infrastructure within the suburb of Maroubra by providing the appropriate planning framework to allow for the expansion of an existing child care centre. An expansion to the centre is considered necessary to meet the needs of residents of the area.

The Strategy identifies the Randwick LGA as being within the Central Subregion. Three key priorities have been identified for the Central Subregion. **Table 7** below provides a summary of this priorities and how the proposal satisfies this priorities:

TABLE 7 – ASSESSMENT OF THE PLANNING PROPOSAL AGAINST RELEVANT PRIORITIES OF THE CENTRAL REGION

CENTRAL SUBREGION PRIORITY	PLANNING PROPOSAL
A competitive economy	The proposal will ensure the appropriate planning framework is in place to allow for the logical expansion of the existing child care facility on the site. The proposed controls will facilitate a future expansion to the facility that will allow for additional child care places and employment opportunities following the construction of the site further supporting a competitive economy.
Accelerate housing supply, choice and affordability and build great places to live	<p>The proposal will enhance the liveability of the Maroubra area by increasing the access to essential services for residents of the area. An alternative measure of relocating the child care facility to a nearby residential allotment is not considered feasible and will ultimately adversely impact the housing supply, choice and affordability of Maroubra.</p> <p>The proposed provisions detailed in this planning proposal will give confidence to the landowner and operator to continue to invest and improve the operations in the future. This investment will contribute towards making Maroubra a great place to live.</p>

Protect the natural environment and promote its sustainability and resilience	The reuse of an existing facility will ensure minimal alteration to the natural environment is required to allow for the future provision of additional child care places. The proposal is therefore considered to have no impacts on the natural attributes of the site.
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Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Relevant to this planning proposal are the Randwick City Plan, the Council's overarching strategic plan, and the Randwick Discussion Papers, which informed the preparation of the RLEP2012. These items are discussed below:

Randwick City Plan

Council has endorsed the Randwick City Plan as the overarching strategy for Council's objectives and operations. Key issues addressed in the City Plan that are relevant to the planning proposal include:

- Enrich our range of community services that meet our community's needs
- New and upgraded community facilities that are multipurpose and in accessible locations
- Vibrant business, commercial and industrial sectors that provide ongoing and diverse employment opportunities

The proposal will allow for the expansion of an existing child care centre in an established and accessible location. An expansion of the existing facility is essential to meet the community's growing needs for child care places and in doing so the proposal will assist in satisfying the need to grow existing community facilities. The proposal will also result in additional employment opportunities both during and post construction and in doing so will assist in ensuring the overall vibrancy of Maroubra.

Randwick Discussion Papers

Council did not undertake a comprehensive strategic planning process as part of the preparation of the 2012 LEP. Instead, Council prepared a series of 'discussion papers' relating to specific sectors and locations across the local government area which generally supported the retention of existing planning controls and their translation into the Standard Instrument LEP template. The discussion papers did not identify the site as a key area and did not detail the intended future growth of the child care industry within the Randwick LGA.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is consistent with all relevant State Environmental Planning Policies (SEPPs) as assessed in **Table 8** below.

TABLE 8 – COMPLIANCE OF THE PLANNING PROPOSAL WITH RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

POLICY	ASSESSMENT
<i>State Environmental Planning Policy No 1—Development Standards</i>	Pursuant to Part 1 Clause 1.9 of the RLEP2012 the provisions of State Environmental Planning Policy No 1—Development Standards do not apply to the site.
<i>State Environmental Planning Policy No 55—Remediation of Land</i>	Clause 6 of SEPP 55 requires a planning proposal to consider potential contamination of a site. Given the existing use and character of the site, it is considered unlikely that the site is subject to contamination that would prevent the progression of the planning proposal.
<i>State Environmental Planning Policy No 64—Advertising and Signage</i>	No signage is proposed as part of this planning proposal. Should signage be proposed in the future development consent will be sought from Randwick City Council.
<i>State Environmental Planning Policy No 71—Coastal Protection</i>	The site is not identified as being within the coastal zone as defined by State Environmental Planning Policy No 71—Coastal Protection

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with all relevant ministerial directions as assessed in **Table 9** below.

TABLE 9 – COMPLIANCE OF THE PLANNING PROPOSAL WITH RELEVANT SECTION 117 DIRECTIONS

S.117 DIRECTION	ASSESSMENT
3.1 Residential Zones	The proposal does not relate to a residential zone however the proposal will ensure that appropriate planning framework will be adopted to ensure that a valuable community service can continue to expand on the site.
3.5 Development near Licensed Aerodromes	The RDCP2013 recommends that proposals for buildings with a height of 15.24m AHD or greater is considered by Sydney Airport Corporation Limited (SACL). The planning proposal does not seek to increase the permissible building height to above 15.24AHD. The site is not located within the contours of the Australian Noise Exposure Forecast 2033 map for Sydney Airport prepared by Airservices Australia. Any future development on the site should not require additional design or construction measures for noise attenuation due to aircraft.
6.1 Approval and Referral Requirements	The planning proposal does not include provisions for referrals or concurrences of future development applications. The RLEP2012 already has provisions which may require referral of development applications of a substantial building height to Sydney Airport Corporation Ltd to ensure its airspace is not penetrated or obstructed.
6.3 Site Specific Provisions	The planning proposal is prepared for the amendment to be consistent with the existing provisions of the RLEP2012, and does not propose additional or site-specific provisions to be made.
7.1 Implementation of A Plan For Growing Sydney	The planning proposal is consistent with the objectives of A Plan For Growing Sydney, as assessed in Table 6 above.

6.3 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is cleared of natural vegetation and it is unlikely that the planning proposal would have any negative effect on critical habitat or threatened species, populations or communities.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Traffic Management

The planning proposal seeks to permit a child care centre as a permissible land use on the site which is considered to intensify the land use. A worst case scenario for future development has been tested in the Traffic Impact Statement attached as **Appendix B**. The Traffic Impact Statement confirms that Council's planning controls are expected to be satisfied. The parking and traffic impacts of such a development are considered capable of refinement and/or resolution at development application stage.

Acoustic Amenity

The future design of any expansion to the existing child care centre will be subject to detailed analysis of the potential acoustic impact and required mitigation of any expansion to the existing child care centre will be prepared by a qualified acoustic engineer at the development application stage of the proposal. The existing child care facility has operated on site since 1997 with minimal objections from surrounding land uses in regards to the acoustic impact of the centre.

Accessibility

Accessibility within and around the any expansion to the child care centre will be addressed as part of the development application process in accordance with the Building Code of Australia and relevant Australian Standards.

Waste Management

A comprehensive Waste Management Plan will be prepared as part of the development application process. This plan will aim to minimise waste and will detail measures to address waste disposal through the demolition, construction and on-going operation of the facility.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The proposed development is considered to generate the following positive social and economic effects:

- Creating additional jobs both during and post construction enabling people to live and work within their local area;
- Contribute to the protection of existing employment at the existing child care centre by ensuring it remains economic viable moving forward;
- Enhancing the social infrastructure of the Maroubra area through the provision of additional child care places;

- Improving child care centre competition within the area, which will deliver better economic outcomes to the local community;

6.4 SECTION D – STATE AND COMMONWEALTH INTERESTS

Q10. Is there adequate public infrastructure for the planning proposal?

It is understood that the existing infrastructure has the capacity to accommodate development on the site. Accordingly, it is not anticipated that it will place unnecessary or additional demands on public infrastructure. Any upgrades to infrastructure to support a future development on the site would be investigated and potentially form a condition of consent for the development.

A full audit will be undertaken as part of the future development application reporting with any augmentation and mitigation outlined.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

No consultation with State or Commonwealth authorities has been carried out to date on the Planning Proposal. It is acknowledged that Randwick City Council will consult with relevant public authorities following the Gateway determination

7 Community Consultation

The project team met with senior Council officers in March 2015 to outline the proposed concept design and to understand Council's preferred pathway forward. The outcomes of this meeting confirmed the need for a Planning Proposal.

Section 57 of the *Environmental Planning and Assessment Act 1979* requires a planning proposal to be publicly exhibited for community consultation. It is anticipated that the planning proposal would be exhibited for a period of 14 or 28 days dependent on the outcome of the gateway determination. This exhibition would be conducted in accordance with Council's policies for community consultation.

The proponent is willing to engage with Council following the lodgement of this planning proposal. This would include briefing councillors and Council staff to inform the process and to provide for a better understanding of the planning proposal prior to it being considered for gateway determination.

8 Conclusion

This planning proposal has been prepared to initiate an amendment to the *Randwick Local Environmental Plan 2012* as it relates to land at 270 Malabar Road, Maroubra. The proposal will ensure the appropriate planning framework is in place to ensure the future expansion of the existing child care centre located on site.

The planning proposal is made in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Infrastructure's 'A guide to preparing planning proposals' dated October 2012. Specifically, the planning proposal seeks to insert child care centre as permissible land uses on Lot 3821 DP752015 under Schedule 1 of the *Randwick Local Environmental Plan 2012*.

This planning proposal has thoroughly assessed the proposed development controls and considered the site in the local planning context. The planning proposal offers significant benefits and opportunities for the development of the site and to the local community including:

- The planning proposal is consistent with state and local government strategic planning initiatives, recognising the need for social infrastructure such as child care centres.
- The planning proposal will provide appropriate planning frameworks to allow the site to contribute to the protection of existing employment;
- The planning proposal will provide appropriate planning frameworks to add further vibrancy to the Maroubra local centre and assist in ensuring the ongoing urban renewal of the area.
- The planning proposal will provide appropriate planning frameworks to enhance the liveability of the Maroubra area by increasing the access to essential services for residents of the area
- The planning proposal will allow for the future increase in the provision of child care places within Maroubra;
- The planning proposal will not result in unreasonable impacts to adjoining properties or the public domain and potential traffic have been demonstrated to be reasonable.
- The proponent of the planning proposal is willing to work with Council to ensure the Maroubra community is included in the public consultation process and the planning proposal is ultimately considered to be in the public interest.

For these reasons it is recommended that the planning proposal is endorsed by Council to enable a gateway determination by the Department of Planning and Environment.

Appendix A

Concept Architectural Plans

AREA CALCULATIONS

TOTAL SITE AREA = 1006.6M2

ZONE SP2

TOTAL GROSS FLOOR AREA = 359.4M2

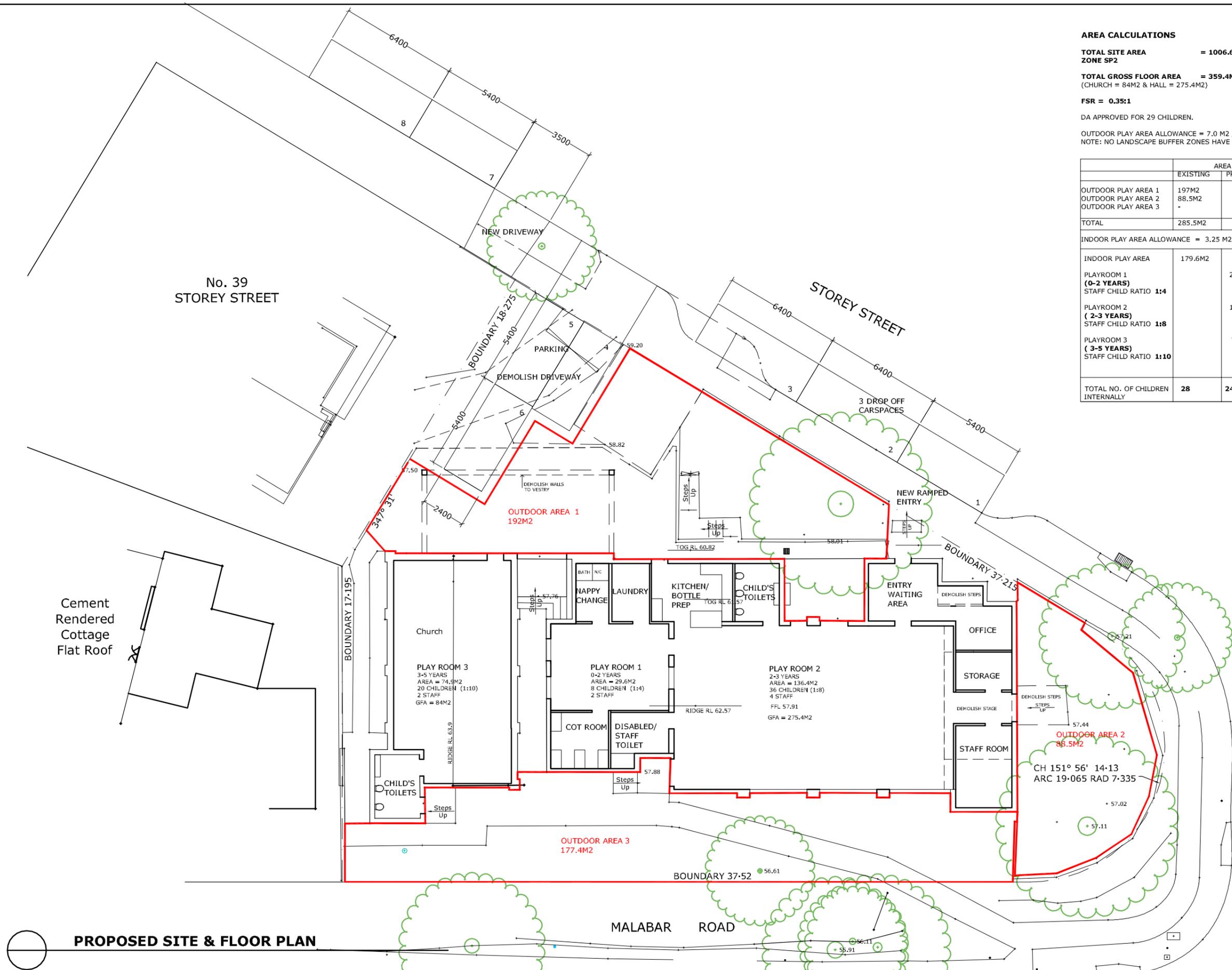
(CHURCH = 84M2 & HALL = 275.4M2)

FSR = 0.35:1

DA APPROVED FOR 29 CHILDREN.

OUTDOOR PLAY AREA ALLOWANCE = 7.0 M2 / CHILD UNENCUMBERED SPACE
NOTE: NO LANDSCAPE BUFFER ZONES HAVE BEEN INCLUDED ALONG PERIMETER.

	AREA		NO. OF CHILDREN	STAFF REQUIRED
	EXISTING	PROPOSED		
OUTDOOR PLAY AREA 1	197M2	192M2	27	
OUTDOOR PLAY AREA 2	88.5M2	88.5M2	12	
OUTDOOR PLAY AREA 3	-	177.4M2	25	
TOTAL	285.5M2	451M2	64	
INDOOR PLAY AREA ALLOWANCE = 3.25 M2 / CHILD UNENCUMBERED SPACE				
INDOOR PLAY AREA	179.6M2			
PLAYROOM 1 (0-2 YEARS) STAFF CHILD RATIO 1:4	29.6M2	8 CHILDREN	2	
PLAYROOM 2 (2-3 YEARS) STAFF CHILD RATIO 1:8	136.5M2	36 CHILDREN	5	
PLAYROOM 3 (3-5 YEARS) STAFF CHILD RATIO 1:10	74.9M2	20 CHILDREN	2	
TOTAL NO. OF CHILDREN INTERNALLY	28	241M2	64 CHILDREN	9 STAFF



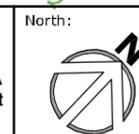
PROPOSED SITE & FLOOR PLAN

Notes:
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Added Gross floor area & FSR	03.06.2015
PRE DA Submission	13.02.2015
Rev	Amendments
	Date

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NOT FOR CONSTRUCTION

Project:
PROPOSED ALTERATIONS & ADDITIONS TO EXISTING CHILDCARE CENTRE AT 270 MALABAR ROAD, MAROUBRA, NSW 2035. LOT 3821/ DP 752015

Client:
PHILLIP MALEK

Drawing No:	PRE DA01
Scale:	1:150 @ A3
Date:	13.02.2015
Rev:	03.06.2015

Appendix B

Traffic Impact Statement



Reference: 15.022r01v3

13th October 2015

Childcare Concepts
C/- Urbis Pty Ltd
Tower 2, Level 23, Darling Park
201 Sussex Street
SYDNEY NSW 2000

Attention: Stephen White, Director

**Re: 270 Malabar Road, Maroubra – Planning Proposal
Traffic Impact Statement**

Dear Stephen,

We refer to your correspondence dated 9th June 2015 concerning the subject planning proposal. It is noted that this proposal has arisen as an outcome of previous discussions with Council officers, which alluded to the possible need to amend the Randwick Local Environmental Plan 2012 to enable expansion of the existing 29 place child care centre. It is anticipated that following such an amendment, a development application may be sought for this expansion. Having reviewed all relevant plans and documentation provided to us, we now advise as follows.

Location and Site

The subject site is located at 270 Malabar Road in Maroubra, on the western corner of the intersection with Storey Street. It is legally described as Lot 3821 in DP752015.

The site has a triangular configuration with a site area of 1,006.6m². It has a southern street frontage to Malabar Road measuring approximately 45 metres and a northern street frontage to Storey Street measuring approximately 53 metres, whilst sharing a western boundary with residential developments that measures approximately 36 metres.

A single vehicular crossing provides the sole access to the site from Storey Street. It is noted that this access is also shared by the neighbouring dwelling house at 319 Storey Street, via a short driveway on the north-western corner of the site. This driveway is not the subject of any easement or right of carriageway.

Reference should be made to the Photographic Record presented in **Attachment 1**, which provides an appreciation of the general character of roads and other key attributes in proximity to the site.

Current Planning Context

The subject site is situated within the City of Randwick local government area. Under the *Randwick Local Environmental Plan 2012* (Randwick LEP 2012), this land is zoned as 'SP2 Infrastructure – Place of Public Worship'. Child care centres are a prohibited development within this zone.

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director Graham Pindar
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Whilst no floor space ratio is currently assigned for the site, the scenario discussed below assumes the lowest maximum floor space ratio permitted by the Randwick LEP 2012 of 0.5:1. For assessment purposes a worst case scenario has been assessed (subject to a later DA) whereby the centre would expand from 29 child places to 64 places, which is a net increase of 37 child places. It is expected that this would be associated with a net increase of 6 staff (from 4 to 10), being the number on-site at any one time.

Parking Requirements

The Randwick DCP 2013 requires a minimum of one parking space per eight (8) children and one space per two (2) staff. Having regard for the net increase of 37 children and 6 staff, the concept sketch presented in **Attachment 2** would create a need for an additional five (5) set-down spaces and three (3) staff spaces.

In response, the following additional provisions are anticipated, as shown in the concept plan in Attachment 2.

- A net increase of five (5) on-street parking spaces for set-down/pick-up, as required. Two (2) of these spaces are provided to the west of the three (3) existing spaces in Storey Street, with provision also made for a new driveway serving the adjoining dwelling house. The remaining three (3) spaces are provided in Malabar Road at the western end of the site frontage. These 5 spaces all make use of existing on-street parking areas and would be short-term (10 minute) parking during the AM and PM peak periods on weekdays only.
- A net increase of one (1) on-site parking space for staff. While it is evident that this will result in the on-street parking of the balance of 2 spaces, this is a moderate impact that will occur on weekdays during business hours. In addition, there is a reasonable prospect that management arrangements could be put in place to reduce this demand to perhaps a single space, through the implementation of a Work Travel Plan.

In summary, in our view there is no fundamental impediment to the proposed amendment to the Randwick LEP 2012 on parking grounds, noting that any approval would be the subject of a later development application. It is also expected that any future development application would explore the following opportunities:

- The good public transport connections within vicinity of the site;
- The proximity to other road generators defined by Council including schools and open space;
- The provision of ample on-street parking opportunities which can be quantified by undertaking surveys during pick up and drop off times of the existing child care development; and
- Establishing operational management procedures to minimise parking demands.

Traffic Impacts

The RMS Guide to Traffic Generating Developments provides traffic generation rates for child care centres based upon surveys conducted in Sydney. It recommends for a long day care centre, an average trip rate of 0.8 vehicle trips per child between 7:00am-9:00am and 0.7 vehicle trips per child between 4:00pm-6:00pm. Application of the above rates to the net increase of 37 child places under a worst case (maximum) development scenario results in the following estimate of traffic generation:



Road Hierarchy

The following roads are of particular interest:

- **Malabar Road:** a locally managed regional road (RR7340) that generally traverses in a north-south direction between Rainbow Street in the north and Maroubra Road to the south. It has a carriageway of approximately 15 metres in width and accommodates a single lane of traffic in either direction. In the vicinity of the site edge lines separate the kerbside parking aisle from travelling lanes. Along the subject site frontage, an approximate 25 metre long No Stopping restriction extends on Malabar Road from the intersection of Storey Street, with unrestricted parking permitted west of this restriction.
- **Storey Street:** a local road that runs in an east-west direction between Malabar Road in the east and Bunnerong Road to the south. It has a carriageway of approximately 10.5 metres in width and accommodates a single lane of traffic in either direction. Unrestricted parking is generally permitted on Storey Street outside of statutory No Stopping restrictions, with an indented parking bay provided adjacent to the subject site.

Public Transport

The site is located within a 400 metre radius from bus stops on Malabar Road, Torrington Road and Maroubra Road, which are serviced by the following routes:

- 376 & 377: Maroubra Beach to City via Randwick
- 395 & 396: Maroubra Beach to City via Anzac Parade
- 317: East Gardens & Coogee to Bondi Junction

Existing Development

The complying developments on-site comprise of the following:

- A child care centre for 29 child places which contains a total of 166m² gross floor area (GFA) of indoor play area and has access to two on-site staff parking spaces. Pick up and drop off of children is accommodated on-street.
- A church building that contains approximately 74.9m² GFA and is essentially unused.

Proposal

A detailed description of the planning proposal is provided in the Planning Report prepared separately by Urbis. In summary, approval is sought for the site to be included in Schedule 1 of the Randwick LEP 2012, with Child care Centres identified as an additional permitted use. This would allow child care centres to be a permitted development with consent under the Randwick LEP 2012.

The proposal would permit the use of the church for expansion of the existing child care centre. A concept sketch showing a possible arrangement is presented in **Attachment 2**, noting that this has been adopted as an indicative development scenario that would ultimately be the subject of a later development application. The church can accommodate an additional 74.9m² GFA of indoor play area.



- 30 vehicle trips per hour during the AM peak period; and
- 26 vehicle trips per hour during the PM peak period.

These are moderate trip rates and will be distributed onto both road frontages. The additional traffic would be about one single vehicle trip every two minutes at peak times. Whilst a detailed breakdown of these trips can be provided in due course upon confirmation of the numbers of children and staff on-site, it is anticipated that vehicle trips will be readily accommodated.

Hence, the proposed amendment to the Randwick LEP 2012 to permit an expanded child care centre is generally supportable.

Summary

The planning proposal seeks to amend the Randwick LEP 2012 to include child care centres within Schedule 1 of the LEP and thereby permit a centre on the site at 270 Malabar Road, Maroubra. Based on the worst case scenario tested with expansion from 29 to 64 children (on the existing site and the subject site), Council's planning controls are expected to be satisfied. The parking and traffic impacts of such a development are considered capable of refinement and/or resolution at development application stage.

In summary, we believe an expanded child care centre on the subject site is supportable on traffic planning grounds. We trust the above is of assistance and please contact the undersigned should you have any queries or require any further information.

Yours faithfully

trafficx



Graham Pindar
Director

Encl: Attachments 1 and 2



Attachment 1

Photographic Record



View looking west on Storey Street at the intersection of Malabar Road towards subject site.



View looking south on Harrison Avenue towards the Storey Street frontage of site.





View looking south on Storey Street of existing access of subject site.



View looking east on Storey Street of existing indented parking bay.





View looking west on Malabar Road with subject site on right-hand side of photograph.



View on Malabar Road looking west towards existing church building on site.





Attachment 2

Concept Plan

AREA CALCULATIONS

TOTAL SITE AREA = 1006.6M2

ZONE SP2

TOTAL GROSS FLOOR AREA = 359.4M2

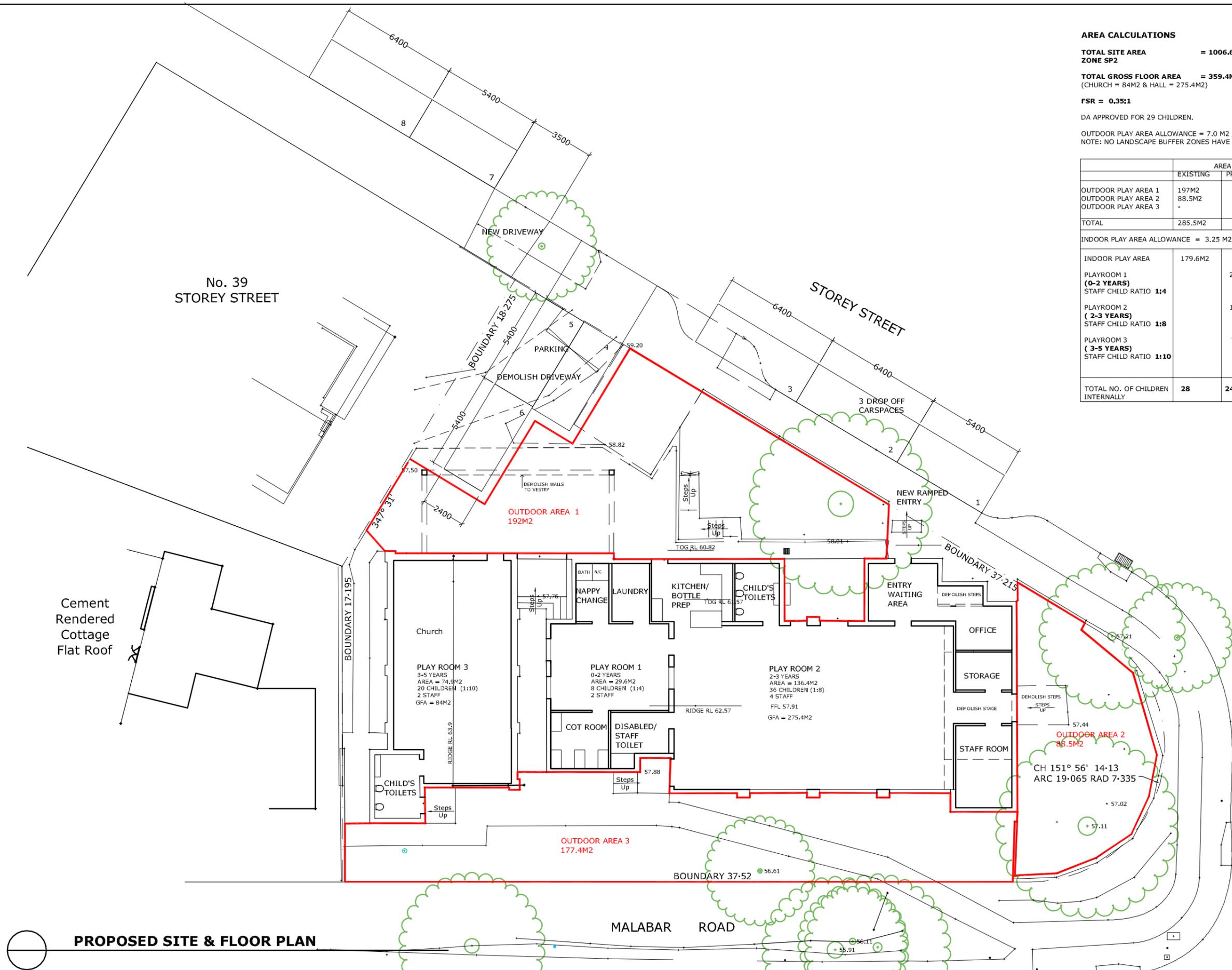
(CHURCH = 84M2 & HALL = 275.4M2)

FSR = 0.35:1

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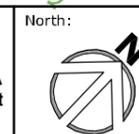
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ABN No.56117823864 Architect registration No.5337



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Client:
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